

December 2, 2019

ATTN: Kerry P. Dodd, Freedom of Information Officer  
U.S. Army Corps of Engineers (ACOE)  
Savannah District  
912-652-5769  
**Kerry.P.Dodd@usace.army.mil**

**Re: Freedom of Information Act (FOIA) Request re: Twin Pines Minerals, LLC –  
Related Documents Requested**

Dear Freedom of Information Officer:

I received a hard copy response from the EPA dated 11/22/19 by US mail, related to the November 8, 2019 FOIA response to me from Terry G. Peters, US Corps of Engineers District Counsel. The EPA response included a two-page cover letter and 11 pages of emails, in response to the next to last paragraph on the second page of the Corps response letter to me that stated:

You should be advised that portions of the records were redacted and marked as referred to “EPA,” U.S. Environmental Protection Agency, Region 4, and “FWS”, U.S. Fish and Wildlife Service, Region 4. Because these portions of the records originated with EPA and FWS, they were referred to these agencies for a release determination and direct response to you. Further inquiries concerning the EPA portions should be directed to Regional Freedom of Information Officer, U.S. EPA, Region 4, AFC Bldg, 61 Forsyth Street., S.W., 9th Floor (4PM/IF), Atlanta, GA 30303-8960, (404) 562-9891. Inquiries concerning the FWS portions should be directed to U.S. Fish and Wildlife Service, FOIA Coordinator, 1875 Century Boulevard, Atlanta, GA 30345, (404) 679- 4104, [foiar4@fws.gov](mailto:foiar4@fws.gov).

**DOCUMENTS REFERENCED IN EPA FOIA RESPONSE, BUT NOT PROVIDED**

Included in that EPA response was a copy of the 6/6/19 email from Eric Sommerville (EPA) to Holly Ross (Corps), and Shaun Blocker (Corps). That email included the following statement (emphasis added in bold):

Shortly before I left for vacation on May 21, I received an email from Michael Lusk, USFWS Okefenokee NWR, who said that Twin Pines was planning to submit a CWA 404 permit application by mid-June and hold a public mtg in Folkston on June 18th. Do you have any knowledge of this? Other than a few informal discussions I have had with Jared periodically over the last 6 months or so, **I have not heard anything specific or formal about this project from either the applicant or the Corps since I submitted comments on the applicant's "Phase I Work Plan - Piezometer Installation & Drilling of**

**Exploratory Borings"** on September 5, 2018 (attached here for your reference)....

The documents that EPA provided with their 11/22/19 response did not include a copy of Mr. Sommerville's comments or a copy of the referenced **"Phase I Work Plan - Piezometer Installation & Drilling of Exploratory Borings"** that was the basis of those comments. I have requested a copy of those documents from EPA. **I'm also requesting a copy of all documents related to that "Phase I Work Plan" from your agency.**

Regarding the email dated June 6, 2019 11:32 AM from Eric Somerville to Holly Ross, copied to Shaun Blocker, **please clarify if the "attached here for your reference" referenced Mr. Somerville's comments or the Phase I Work Plan and provide a copy of that/those attached documents.**

The documents that EPA provided in response to my previous FOIA request to the Corps referenced public comments in response to the Corps' Public Notice of the proposed mining of Trail Ridge by Twin Pines Minerals, LLC. **Please provide a copy of the public comments provided by, or on behalf of Native Americans.**

**Please also provide a copy of the public comments in support of that proposed mining project.**

**Please also provide a copy of the Four Technical Reports referenced in Appendix F.**

#### **NEPA-RELATED DOCUMENTS FOR THE PROPOSED TWIN PINES MINERALS, LLC TITANIUM MINING PROJECT IN GEORGIA**

Those 11-pages of emails provided to me by EPA, in response to my previous FOIA request to the Corps included emails to and from Jamie Higgins (EPA). One of those emails states, "I am the lead NEPA reviewer for most Savannah District, USACE NEPA documents." **Please provide a copy of all of the NEPA-related documents for the proposed Twin Pines Minerals, LLC Titanium Mining Project in Georgia.**

The documents referenced above and described in my original FOIA request were requested under the provisions of **5 USC 552**, the Freedom of Information Act. I am aware that fees may be charged for search, review, and/or duplication of the record requested. If fees are required to provide the requested information, I am willing to pay a reasonable fee to obtain this information. The Act, however, allows fee waivers to be granted when disclosure of the records is in the public interest and is likely to contribute to public understanding of the operations or activities of the government.

I am an individual, not a commercial organization. I am making this request as an individual engaged in public education regarding the regulatory history of this on-going Trailridge mining. The disclosure of the requested record is in the public interest because it: a) is likely to contribute significantly to public understanding of the operations or activities of the government, and b) is

not primarily in any commercial interest. Therefore, I am requesting a waiver of fees associated with the requested document.

It is my understanding that some or all of the records, documents, and information requested may be available in electronic form, thereby avoiding or reducing page costs. If some or all of the requested information is available in electronic form (including excel spread sheet and GIS format), please provide this information via my e-mail provided below, If the file size is too large to provide by email, please provide that email on a CD, to the address provided below. If some or all of the requested information is available on line, please forward the web address for that information via my e-mail provided below. Hard copies of the remaining information can be mailed to me at my address below.

If some of the requested information will require more than 14 days to compile, please forward the more readily available information first, while the remaining information is being compiled. If you have any questions regarding this request, please contact me at the email address provided below.

Sincerely,

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